

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Adam J. Katz et al.

Serial No.:

10/797,371

Filed:

March 9, 2004

Docket:

30448.77USD1

Title:

ADIPOSE-DERIVED STEM CELLS AND LATTICES

CERTIFICATE UNDER 37 CFR §1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 7, 2005.

55 S. Lake Avenue, Suite 710 Pasadena, California 91101 July 7, 2005

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal sheet, in duplicate, containing Certificate under 37 CFR §1.8

☐ Information Disclosure Statement (37 C.F.R. §1.97 (b)(3))

Form 1449 (Information Disclosure Statement)

Exhibit 152-165

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Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

MANDEL & ADRIANO

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Name: Sarah B. Adriano

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JUL 1 1 2005 EN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Adam J. Katz et al.

Examiner:

Tara L. Garvey

Serial No.:

10/797,371

Group Art Unit:

1636

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By: Renato Marco P. Doming

<u>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</u> (37 C.F.R. §1.97(b)(3))

MAIL STOP AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed herein as a supplement to Applicant's June 15, 2004, October 25, 2004 and June 22, 2005 Information Disclosure Statements which were submitted under 37 C.F.R. §1.97(b)(3) before the mailing date of the first Office Action on the merits. In accordance with 37 C.F.R. §1.98(d), copies of Exhibits 152-165 as set forth in the Form 1449 are included herein.

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

Adam J. Katz et al. Serial No. 10/797,371 Filed: March 9, 2004

Page 2

- Yoo, Jung U. et al., "The Chondrogenic Potential of Human Bone-Marrow-Derived
 Mesenchymal Progenitor Cells," Journal of Bone and Joint Surgery, 1998, 80:1745-57 —
 Exhibit 152
- Varzaneh, F. Eslami et al., "Extracellular Matrix Components Secreted by Microvascular Endothelial Cells Stimulate Preadipocyte Differentiation In Vitro," Metabolism, 1994,
 43:906-12 Exhibit 153
- Mackay, Alastair M. et al., "Chondrogenic Differentiation of Cultured Human
 Mesenchymal Stem Cells from Marrow," Tissue Engineering, 1998, 4:415-28 Exhibit
 154
- Cryer, Anthony and Robin L. R. Van, "Characterization of the collagen types synthesized by human and rat adipocyte precursors in vitro," European Journal of Clinical Investigation, 1982, 12:235-8 – Exhibit 155
- U.S. Patent No. 6,391,297 B1 issued May 21, 2002 Exhibit 156
- Gronthos, Stan et al., "Surface Protein Characterization of Human Adipose Tissue Derived Stromal Cells," Journal of Cellular Physiology, 2001, 189:54-63 Exhibit 157
- U.S. Patent No. 6,200,606 B1 issued March 13, 2001 Exhibit 158
- Caplan, Arnold I., "Mesenchymal Stem Cells," *Journal of Orthopaedic Research*, 1991, 9:641-50 Exhibit 159
- Ferrari, Guiliana et al., "Muscle Regeneration by Bone Marrow-Derived Myogenic Progenitors," Science, 1998, 279:1528-30 – Exhibit 160
- Jaiswal, Neelam et al., "Osteogenic Differentiation of Purified, Culture-Expanded Human Mesenchymal Stem Cells In Vitro," *Journal of Cellular Biochemistry*, 1997, 64:295-312
 Exhibit 161
- Johnstone, Brian et al., "In Vitro Chondrogenesis of Bone Marrow-Derived Mesenchymal Progenitor Cells," Experimental Cell Research, 1998, 238:265-72 – Exhibit 162
- Pittenger, Mark F. et al., "Multilineage Potential of Adult Human Mesenchymal Stem Cells," Science, 1999, 284:143-7 Exhibit 163

Adam J. Katz et al.

Serial No. 10/797,371

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Page 3

Prockop, Darwin J., "Marrow Stromal Cells as Stem Cells for Nonhematopoietic

Tissues," Science, 1997, 276:71-4 - Exhibit 164

Tontonoz, Peter et al., "mPPARy2: tissue-specific regulator of an adipocyte enhancer,"

Genes & Development, 1994, 8:1224-34 - Exhibit 165

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102

and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish

that the reference(s) are not "prior art." Moreover, Applicants do not represent that the

references have been thoroughly reviewed or that any relevance of any portion of a reference is

intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of

M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

as being considered and initialed by the Examiner, to the undersigned with the next official

communication.

3

Adam J. Katz et al. Serial No. 10/797,371 Filed: March 9, 2004

Page 4

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. If any additional fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-0306.

Respectfully submitted,

Sauh BM

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FORM 1449*	Docket Number	Application Number
(JUL 1 1 2005 57)	30448.77USD1	10/797,371
INFORMATION DISCLOSURE STATEMENT	Applicant	
IN AND APPLICATION	Adam J. Katz et al.	
	Filing Date	Group Art Unit
(Use several sheets if necessary)	March 9, 2004	1636

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,391,297 (Exhibit 156)	12/21/02	Halvorsen			12/01/98
	6,200,606 (Exhibit 158)	03/13/01	Peterson et al.			07/14/97

 FOREIGN PATENT DOCUMENTS						
DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANS	LATION
					YES	NO

 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
Yoo, Jung U. et al., "The Chondrogenic Potential of Human Bone-Marrow-Derived Mesenchymal
Progenitor Cells," Journal of Bone and Joint Surgery, 19 98, 80:1745-57 (Exhibit 152)
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Tontonoz, Peter et al., "mPPARγ2: tissue-specific regulator of an adipocyte enhancer," Genes & Development, 1994, 8:1224-34 (Exhibit 165)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

^{*}Substitute Disclosure Statement Form (PTO-1449)

FORM 1449*

INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION

(Use several sheets if necessary)

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INITIAL	6,391,297 (Exhibit 156)	12/21/02	Halvorsen			12/01/98 07/14/97
	6,200,606 (Exhibit 158)	03/13/01	Peterson et al.	<u> </u>		

	FOREIGN PATE	NT DOCUMENT		T	TDANS	SLATION
DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO

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	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
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